

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

JOSE LUIS LOPEZ-JAMIE,

Petitioner,

v.

REBECCA ADDUCCI and  
KIRSTJEN NEILSEN,

Respondents.

Case No. 19-11010  
Hon. Terrence G. Berg

**ORDER TEMPORARILY STAYING DEPORTATION**

Petitioner Jose Luis Lopez-Jaime filed a Petition for Writ of Habeas Corpus (ECF No. 1) and an Emergency Motion for Temporary Restraining Order (ECF No. 2) on April 5, 2019. In his Petition for Writ of Habeas Corpus and his Motion for Temporary Restraining Order, Petitioner states that Respondents seek to immediately remove Petitioner pursuant to 8 C.F.R. § 241.8. This regulation permits reinstatement of a prior removal order against an alien who illegally reenters the United States after “having been removed, or having departed voluntarily, while under an order of exclusion, deportation, or removal.” Petitioner argues that § 241.8 cannot be used to remove him because he has never been under an order of exclusion, deportation, or removal.

Finding good cause to do so, the Court **ORDERS** that Petitioner's deportation is stayed while the Court considers the merits of Petitioner's Motion. Respondents may move to vacate the stay upon a showing of good cause.

Petitioner is **ORDERED** to immediately notify Respondents of this Order and to serve Respondents with the Petition for Writ of Habeas Corpus, Emergency Motion for Temporary Restraining Order, and a copy of this Order in the manner most likely to effect notice.

**SO ORDERED.**

Dated: April 5, 2019

s/Terrence G. Berg

TERRENCE G. BERG

UNITED STATES DISTRICT JUDGE

### **Certificate of Service**

I hereby certify that this Order was electronically filed, and the parties and/or counsel of record were served on April 5, 2019.

s/A. Chubb

Case Manager